



**Amended** A G E N D A  
**OCONEE COUNTY COUNCIL MEETING**  
**September 17, 2013 ~ ~ 6:00 PM**  
Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC

**Call to Order**

**Public Comment Session / Agenda Items & Non Agenda Items** *[time permitting]*

*Agenda & Non Agenda Items: Combined both are limited to a total of forty (40) minutes, four (4) minutes per person.*

**Council Member Comments** *[Council may take a recess after Public Comment & Council Comments]*

**Moment of Silence**

**Pledge of Allegiance to the Flag of the United States of America**

**Approval of Minutes:** September 3, 2013 Regular Meeting

**Presentation by Outside Organizations**

Comprehensive Economic Development Strategy [CEDS] / ACOG

Drug Paraphernalia Ordinance 2013-18 Presentation / Sheriff Crenshaw

**Administrator Report & Agenda Summary**

**Public Hearings for the Following Ordinances**

**Ordinance 2012-17** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **SERENE HOSPITALITY, LLC**; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, AUTHORIZATION OF AN INFRASTRUCTURE TAX CREDIT”

**Ordinance 2013-18** “AN ORDINANCE TO AMEND ARTICLE 1, ENTITLED *IN GENERAL*, OF CHAPTER 20, ENTITLED *OFFENSES AND MISCELLANEOUS PROVISIONS*, OF THE OCONEE COUNTY CODE OF ORDINANCES BY ADDING NEW SECTIONS PERTAINING TO DRUG PARAPHERNALIA; AND OTHER MATTERS RELATED THERETO”

**Ordinance 2013-22** “AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY IN OCONEE COUNTY AND THE CONVEYANCE OF CERTAIN REAL PROPERTY WITHIN THE GOLDEN CORNER COMMERCE PARK; AND OTHER MATTERS RELATED THERETO”

**Ordinance 2013-23** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED FEE AGREEMENT BETWEEN OCONEE COUNTY AND **GREENFIELD INDUSTRIES, INC.**, INCLUDING THE INCLUSION OF TDC CLEMSON LAND COMPANY, LLC, GREENTECH METAL RECYCLING, LLC AND TDC SAWS, LLC, AS CO-SPONSORS, AMENDING THE FEE AGREEMENT DATED AS OF DECEMBER 1, 2009; AND OTHER MATTERS RELATED THERETO”

**Ordinance 2013-25** “AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS (**STONE POND SPECIAL TAX DISTRICT**); SERIES 2014, OF OCONEE COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$1,000,000; FIXING THE FORM AND CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT

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OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AMENDING ORDINANCE NO. 2012-28 OF THE COUNTY; AND OTHER MATTERS RELATING THERETO.”

### **Third & Final Reading of the Following Ordinances**

**Ordinance 2012-17** [Caption Above]

**Ordinance 2013-18** [Caption Above]

**Ordinance 2013-22** [Caption Above]

**Ordinance 2013-23** [Caption Above]

**Ordinance 2013-25** [Caption Above]

### **Second Reading of the Following Ordinances**

[Note: Public Hearings will be scheduled at or before third & final reading for the following ordinances as required]

**Ordinance 2013-20** “AN ORDINANCE TO AMEND OCONEE COUNTY ORDINANCE 2013-01 “AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE GENERAL CAPITAL PROJECT FUND, AND FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014” IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” Attachment B – Fee Schedule

**Ordinance 2013-24** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND **PROJECT GAMMA**; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT”

**Ordinance 2013-26** “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24, 2010-32, 2011-09, 2011-15, 2011-34 and 2013-06 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK *[re: Project GAMMA]*”

**Ordinance 2013-27** “AN ORDINANCE AUTHORIZING ACCEPTANCE OF THE TRANSFER OF AUTHORITY FOR MUNICIPAL ELECTIONS FOR THE TOWN OF WEST UNION AND AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT OR EMBODYING DOCUMENT INCLUDING THE TERMS OF ANY AGREEMENT, WITH EACH; AND OTHER MATTERS RELATED THERETO.”

**Ordinance 2013-28** “AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SUCH INDUSTRIAL/ BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXES TO THE COUNTIES AND RELEVANT TAXING ENTITIES; TO PROVIDE THAT JOB TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR BUSINESSES LOCATING IN SAID PARK; TO PERMIT A USER FEE IN LIEU OF AD VALOREM TAXATION WITHIN SAID PARK; AND TO AUTHORIZE THE EXECUTION

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AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SENECA RELATED TO THE CREATION OF THE PARK WITHIN THE CITY LIMITS OF THE CITY OF SENECA AND THE DISTRIBUTION OF CERTAIN FEES IN LIEU OF AD VALOREM TAXES DUE TO OCONEE COUNTY FROM THE PARK, AND THE PAYMENT BY OCONEE COUNTY TO THE CITY OF SENECA AND OTHER TAX PAYING ENTITIES IN OCONEE COUNTY OF FEE IN LIEU OF TAXATION DERIVED WITHIN THE PARK ; AND OTHER MATTERS RELATED THERETO.”

[Re: *SERENE HOSPITALITY, LLC*]

## First Reading of the Following Ordinances

**Ordinance 2013-29** [Title Only] “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT FLAT; THE GRANTING OF INFRASTRUCTURE TAX CREDITS; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT”

This ordinance puts into place a fee-in-lieu-of-taxes agreement (FILOT) between Oconee County and Project Flat. The company will also be awarded an infrastructure tax credit. In return, the company will locate a not less than \$12,000,000 capital investment in Oconee as part of this incentive offered from the County.

**It is the staff’s recommendation that Council take first reading in title only of Ordinance 2013-29.**

## First & Final Reading of the Following Resolutions

**Resolution R2013-19** “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT FLAT, WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL EXECUTE A FEE IN LIEU OF TAX AGREEMENT FOR A PROJECT INVOLVING NOT LESS THAN TWELVE MILLION DOLLARS (\$12,000,000) INVESTMENT AND THE COUNTY WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT; AND OTHER MATTERS RELATED THERETO” including Inducement Agreement

## Discussion Regarding Action Items

### **ITB 13-04 / Wastewater System Improvements @ Golden Corner Commerce Park / Ten Inch and Twelve Inch Force Main / \$7,262,647.59**

This bid consists of furnishing all materials, equipment and labor necessary to construct the Wastewater System Improvements to Serve the Golden Corner Commerce Park – 10 Inch and 12 Inch Force Main, consisting of approximately 53,333 LF of 10” and 53,333 LF of 12” Force Main. The majority of this proposed route extends along SC Highway 59 from the future location of the Golden Corner Commerce Park in Fairplay, SC to the Coneross Creek Wastewater Treatment Facility in Seneca, SC.

**On September 12, 2013, formal sealed bids were opened for this project. This bid was originally sent to 59 bidders and there were 24 plan holders. Seven firms submitted bids, with D S Utilities, Inc., of Little Mountain, SC, submitting the lowest bid of \$6,602,406.90.**

**It is the staff’s recommendation that Council (1) approve the award of ITB 13-04 to D S Utilities, Inc., of Little Mountain, SC, for the Wastewater System Improvements to Serve the Golden Corner Commerce Park – Ten Inch and Twelve Inch Force Main, in the amount of \$6,602,406.90, and a contingency amount of 10% for any change orders that may arise, for a total award amount of \$7,262,647.59 and, (2) Authorize the County Administrator to approve any change orders that are within the contingency amount.**

### **Blue Ridge Electric Coop Right-of-Way Request**

Grant Blue Ridge Electric Cooperative, Inc. electric line right-of-way easement to go upon the tract of land belonging to Oconee County containing approximately 18 acres more or less on Rock Crusher Road at the Oconee County Quarry, Map #306-42-004; Tax Map #190-00-01-028.

Will allow an alternate source for electricity should current feed go down reducing down time for crushing plant and continuing production.

Blue Ridge Electric employees will remove five (5) Leyland Cypress trees located at the quarry fence line facing Duck Pond Road.

**It is the staff’s recommendation that Council approve the right-of-way easement for Blue Ridge Electric Cooperative as outlined above.**

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## Mowing Equipment / Roads and Bridges / \$66,619.51

Approval is requested for the following equipment for the Roads & Bridges department to be purchased from Alamo Industrial:

3 each	84" Rotary Pan Single Wheel Mower	\$18,506.96	State Contract # 4400002453
1 each	22" Samurai Boom Mower	<u>\$48,112.55</u>	State Contract # 4400002453
	TOTAL	\$66,619.51	

These purchases are all contingent on the approval of the lease/purchase funding, authorized in the 2013-2014 budget allocations. The three rotary mowers replace the one "bat wing mower" originally listed in the lease purchase at a lower cost. This will allow three tractors to mow different roads at the same time which will increase production. The Samurai Boom mower will allow access to roads that are not accessible to conventional mowing.

**It is the staff's recommendation that Council approve the purchases of the equipment listed above from Alamo Industrial, of Seguin, TX for the total amount of \$66,619.51.**

## Consent Agenda Items / PRT Local ATAX Grant Request / \$9,910

- **\$4,910 to Upcountry Brochure Service / Distribution / Display of Waterfalls & Camping brochures in over 150 brochure racks in Georgia and South Carolina.**

Upcountry Brochure Service has over 50 brochure racks in South Carolina and over 90 in Northeast Georgia. As the company places new racks, the brochures currently in contract also are added to that rack, so as the company grows, the brochure distribution grows as well. The racks are placed in hotels, tourist attractions, restaurants, etc. Upcountry Brochure service will keep the brochure racks stocked in all the service locations

- **\$5,000 for campsite renovation phase 3 at South Cove County Park**

PRT has completed phase 1 and 2 of the campsite renovations with grants and assistance from the County Roads and Bridges division. Renovations include rebuilding sites with concrete retaining walls vs. wood timbers

**It is the staff's recommendation that Council approve the two PRT Local Tax projects as outlined above for a total of \$9,910**

## Consent Agenda Items / PRT Commission Recommended Local ATAX Grants / \$20,000

A portion of Local and State ATAX revenues received by Oconee County are made available for ATAX grants through Ordinance 2011-12. All ATAX grants are to be tourism related grants that meet the ATAX guidelines specified by local and State mandates. Grants are recommended by the PRT Commission based on tourism impact of the project and approved by County Council. All ATAX grant recipients are required to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant. These reports are placed in the grant folder, which is kept active by the PRT staff until the grant is considered complete.

The PRT Commission is working hard to base its recommendations on true tourism impact and in doing so, hopes to see the local ATAX fund grow. This will allow available funding for when large tournaments or opportunities present themselves.

**It is the staff's recommendation that Council approve the ATAX grants as outlined on the agenda item summary and attached worksheet in the amount of \$20,000.**

**Old Business** [to include Vote and/or Action on matters brought up for discussion, if required]

**New Business** [to include Vote and/or Action on matters brought up for discussion, if required]

**Council Committee Reports** [to include Vote and/or Action on matters brought up for discussion, if required]

- Planning & Economic Development Committee / Mr. Corbeil
- Real Estate, Facilities & Land Management Committee / Mr. Barron

**Board/Commission Appointments** [Council continues to seek interested candidates living in the unincorporated areas of the county for the Transit Advisory Task Force Committee & the Capital Project Sales Tax Commission]

- Capital Project Sales Tax Commission / Municipality Appointment Update
- Library Board / Replacement for Ms. Long: Co Terminus with Districts I & III

**Executive Session** [for the purpose of discussing potential litigation and an Economic Development matter]

- Vote and/or Action on matters discussed in Executive Session [if required]

**Adjourn**

Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers. ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

Oconee County Council & Committee meeting schedules and agendas are posted at the Oconee County Administration Building & are available on the County Council Website. [All upcoming meetings will be held in Council Chambers unless otherwise noted]

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